

*Washington, DC* – U.S. Rep. John Hall (D-NY19), a member of the House Select Committee on Energy Independence and Global Warming, voted yesterday with a bipartisan majority of the Committee to subpoena the Environmental Protection Agency's (EPA) documents showing progress in response to a Supreme Court decision that the Agency must address whether climate change endangers the public. The Committee's subpoena came on the one-year anniversary of the Supreme Court handing down a landmark global warming decision in *Massachusetts v. EPA*

, ruling that it is the EPA's responsibility to address whether heat-trapping carbon dioxide emissions from motor vehicles endanger human health or welfare.

"One year after the Supreme Court's decision, the Bush Administration has done nothing but stall and avoid taking any real action to protect the public from global warming," said Hall. "In the meanwhile, the Administration has continued to approve polluting coal plants and deny states like New York the ability to regulate carbon dioxide."

In 2003, the Bush Administration EPA rejected a petition to regulate greenhouse gas emissions from motor vehicles, claiming that under the Clean Air Act it did not have the authority. Twelve states, including New York, three cities, including New York City, and environmental groups filed a lawsuit,

*Massachusetts v. EPA*

, challenging the EPA's decision. On April 2, 2007, the Supreme Court made its decision in *Massachusetts v. EPA*

, deciding that because EPA has a responsibility to protect public health, it does have the authority under the Clean Air Act to regulate emissions from motor vehicle emissions if they endanger human health or welfare.

The Supreme Court's decision in

*Massachusetts v. EPA*

directs EPA to determine whether greenhouse gas emissions cause air pollution that endangers public health or welfare. If EPA makes this so-called "endangerment finding," the Supreme Court said, then it must regulate these emissions from motor vehicles. In its response to the Supreme Court decision, EPA spent about six months conducting intensive analysis and, according to EPA staff disclosures to Congress, EPA Administrator Steven Johnson signed off on his agency's positive endangerment finding as well as on a regulatory proposal to reduce these emissions from motor vehicles. These documents were forwarded to the White House and other federal agencies for review in December, but never to Congress.

In testimony before the Select Committee on Energy Independence and Global Warming last month, EPA Administrator Johnson refused to turn over documents pertaining to EPA's required ruling, and also refused to draft regulations for controlling vehicle emissions.

"The Bush Administration's EPA is refusing to abide by directives from both the Supreme Court and Congress," said Hall. "This Congress will not allow the Bush Administration to defy the two other co-equal branches of government. We are going to assert Congress's constitutional right and obligation to perform oversight of White House policy."

If the EPA does not turn over the subpoenaed documents to the Select Committee on Energy Independence and Global Warming within 10 days, the Committee will then work with the House leadership to enforce the subpoena.

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